

TRIPURA GAZETTE



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PART--I-- Orders and Notifications by the Government of Tripura,
 The High Court, Government Treasury etc.

**GOVERNMENT OF TRIPURA
 FINANCE DEPARTMENT.
 (EXCISE & TAXATION)**

No.F. II-6(2)-EX/2020

Dated, Agartala, the 9th November, 2021.

NOTIFICATION

Rule 67(1) of the Tripura Excise Rules, 1990 states that except as provided in sub-rule (2) all operations in a distillery requiring the presence of an officer of the Excise Department, shall be stopped on Sundays and public holidays declared as such under the Negotiable Instruments Act, 1881. In the distillery, the distiller shall so arrange his operations that no officer of the Excise Department need ordinarily be on duty for more than eight hours on any working day.

Further, Rule 67(2) states that if the distiller requires any officer of the Excise Department to be on duty at the distillery on any Sunday or public holiday mentioned in sub-rule (1) or for more than eight hours on any working day, he shall give in writing atleast twenty-four hours, notice to this effect to the officer of the Excise Department in charge of the distillery stating clearly the work to be done and the approximate time that the work is likely to take.

Provided that no officer of the Excise Department shall be required to be on duty in a distillery on the following days except under special circumstances and with the approval of the Collector –

- (i) Sunday
- (ii) The Bengali New Year's day
- (iii) The Id-ul-fitar day
- (iv) The Independence Day
- (v) The Second Day of Durga Puja (Mahastami day)
- (vi) The Bijoya Dasami Day
- (vii) The Kalipuja Day
- (viii) The Christmas Day
- (ix) The Sreepanchami Day
- (x) Mahatma Gandhiji's Birthday
- (xi) Republic day and
- (xii) May Day

Additionally, Rule 67(3) states that an officer of the Excise Department required under sub-rule (2) to be on duty in a distillery on a Sunday or any other public holiday mentioned in sub-rule (1) or for more than eight hours on any working day shall be entitled to overtime fee at such rates as may be fixed from time to time by the Government. The amount payable as overtime fee shall be recovered from the distiller.

Furthermore, Rule 67(4) states that when distillation is carried on at night and at all times when an officer of the Excise Department is not present the distillery gate shall remain locked provided that on Sundays or public holidays mentioned in sub-rule (1) the registered servant of the distiller may be allowed ingress and egress between sunrise and sunset.

It is seen that petitions are being received from liquor manufacturing units for allowing production of liquor during holidays to fulfil and cater market demand which generally peaks during festive season or any other special occasion.

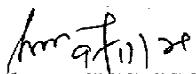
In this regard, in the interest of state revenue, the following guidelines are hereby framed for determining overtime fee as per Rule 67(3) of the Tripura Excise Rules, 1990 :-

- 1) During holidays, if circumstance so warrants, the Collector of Excise shall allow and settle the matter to give permission for running the manufacturing units in presence of Officer-in-charge.
- 2) The proportionate amount of existing establishment cost of excise officials involved with required period of duty of Excise Officer-in-charge and Excise Guard shall be considered as overtime fee.
- 3) The overtime fee so fixed shall be recovered from the licensee of manufacturing unit in advance of each permission.
- 4) The Excise Officer-in-charge and Excise Guard shall be paid as per determined rates prescribed time to time by the Commissioner of Excise, Government of Tripura with the approval of the Government.
- 5) In context of point (4), the same shall be calculated at proportionate rate of 1(one) day's gross salary of the Excise Officer-in-charge / Excise Guard for the nos. of hours of work done by them beyond working hours and on Sunday or public holiday, provided that amount shall not cross the monthly ceiling limit of 4(four) days or 32(thirty two hours) hours' salary in a calendar month.

The aforesaid guideline shall also be applicable to the warehouses as per Rule 81 of the Tripura Excise Rules, 1990.

This shall come into effect on the date of its publication in Tripura Gazette.

By Order of the Governor,


(L.T. Darlong, TCS SSG)
Additional Secretary to the
Finance Department